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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,433	10/06/2004	Ralf Bonitz	3102	8861

7590
Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

01/29/2007

EXAMINER

THOMAS, BRANDI N

ART UNIT	PAPER NUMBER
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2873

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/510,433	Applicant(s) BONITZ ET AL.	
	Examiner Brandi N. Thomas	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8,9 and 12-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 8,9,12-15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8, 9, 12-15, and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Iwase et al. (6469844).

Regarding claim 8, Iwase discloses a lens having a curved surface (4) and having a holding edge (4b) integrally formed on a lens edge, wherein a supporting edge (near 4c) projects is formed integrally with said holding edge (4); wherein said supporting edge (near 4c) and said holding edge (4b) form a continuous cylindrical outer circumferential surface (20) extending over an outer side of said supporting edge (near 4c) and an outer side of said holding edge (4b) and around an outer circumference of the lens (4) (col. 3, lines 58-62), wherein a lower surface of the holding edge (4) is directed away from the curved surface (4) and is disposed in a plane with the plane surface (figure 3A) while Iwase does not disclose the lens being bright pressed on both of said sides, this limitation is considered to be a product by process see MPEP 2113) and consequently does not provide any structural limitation beyond the lens discloses by Iwase. Iwase discloses the claimed invention of claims 8 and 14 and except for surface opposite the curved surface is a plane surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the optical element of Iwase with opposite plane surface for the purpose of achieving a desired focusing effect.

FIG. 1

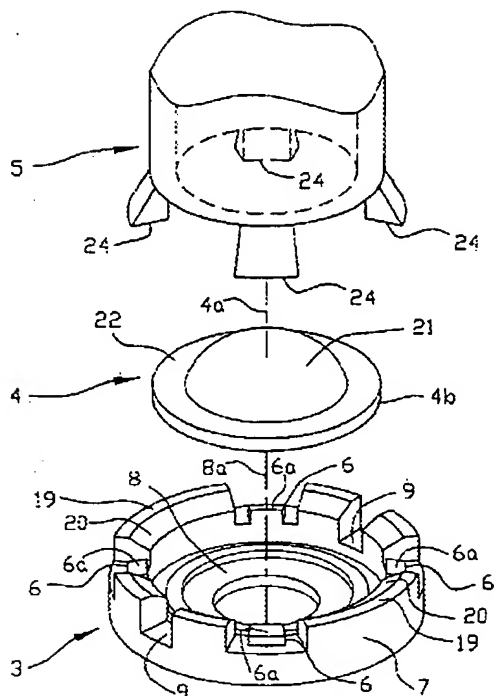
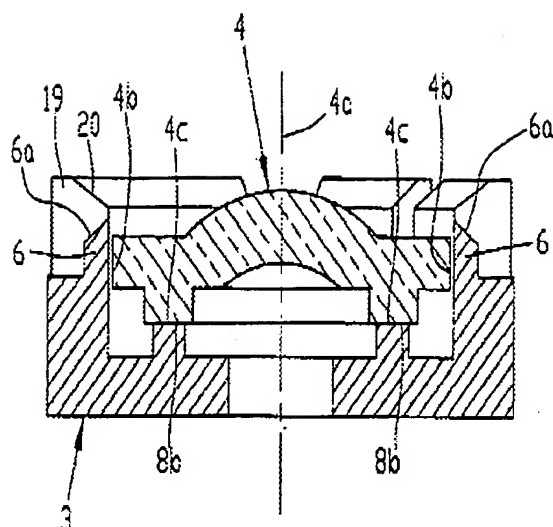


FIG. 3A



Regarding claim 9, since Iwase does not disclose the lens holder being miniature in size, the examiner take the position that Iwase implicitly discloses the supporting edge has a thickness of at least 0.2 mm.

Regarding claim 11, Iwase was discloses since Iwase does not disclose the lens holder being miniature in size, the examiner take the position that Iwase implicitly discloses the supporting edge has a thickness of at least 0.2 mm.

Regarding claims 12, 13, and 15, Iwase was discloses (see fig. 3A, 3B) wherein said supporting edge has a width, said holding edge has a width in a direction extending parallel to

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said plane surface and said width of said supporting edge is less than or equal to said width of said holding edge.

Regarding claim 14, Iwase discloses a projection headlight for a motor vehicle, said projection headlight comprising: a lens and a holder (3) for holding said lens (4); wherein said lens has a curved surface (4) and having a holding edge (4b) integrally formed on a lens edge, wherein a supporting edge (near 4c) projects is formed integrally with said holding edge (4), wherein said supporting edge (near 4c) and said holding edge (4b) form a continuous cylindrical outer circumferential surface (20) extending over an outer side of said supporting edge (near 4c) and an outer side of said holding edge (4b) and around an outer circumference of the lens (4) (col. 3, lines 58-62); wherein said holder (3) embraces said holding edge (4b) on a side of the lens having said curved surface (4); and wherein said holder (3) substantially consists of a sheet metal ring having a circumferential wall (19) (col. 3, lines 53-58), said circumferential wall (19) extends circumferentially around said holding edge (4b) supporting edge (near 4c) and said circumferential wall (19) bears on the continuous cylindrical outer circumferential surface (20) and said circumferential wall (19) is provided with inwardly curved flaps (6a) engaged under the supporting edge (4c) for securely holding the lens (4) in the holder (3) (figure 1), while Iwase does not disclose the lens being bright pressed on both of said sides, this limitation is considered to be a product by process see MPEP 2113) and consequently does not provide any structural limitation beyond the lens discloses by Iwase. Iwase discloses the claimed invention of claims 8 and 14 and except for surface opposite the curved surface is a plane surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the

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optical element of Iwase with opposite plane surface for the purpose of achieving a desired focusing effect.

Regarding claim 17, Iwase discloses a projection headlight for a motor vehicle, said projection headlight comprising: wherein said lens has a curved surface (4) and a plane surface on opposite sides thereof, and said lens (4) has a holding edge (4b) integrally formed on a lens edge and a supporting edge (near 4c) projecting from said plane surface, said supporting edge (near 4c) being formed integrally with said holding edge (4), said supporting edge (near 4c) is formed integrally with the lens (4) and extends around an outer circumference of the lens (4), said supporting edge (near 4c) and said holding edge (4b) form a continuous cylindrical outer circumferential surface (20) extending over an outer side of said supporting edge (near 4c) and an outer side of said holding edge (4b) and around an outer circumference of the lens (4) (col. 3, lines 58-62), and said wherein said supporting edge has a width, said holding edge has a width in a direction extending parallel to said plane surface and said width of said supporting edge is less than or equal to said width of said holding edge, while Iwase does not disclose the lens being bright pressed on both of said sides, this limitation is considered to be a product by process see MPEP 2113) and consequently does not provide any structural limitation beyond the lens discloses by Iwase. Iwase discloses the claimed invention of claims 8 and 14 and except for surface opposite the curved surface is a plane surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the optical element of Iwase with opposite plane surface for the purpose of achieving a desired focusing effect.

Allowable Subject Matter

3. Claim 16 is allowed.

4. The following is an examiner's statement of reasons for allowability: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in claim(s) 16, wherein the claimed invention comprises all of the claimed limitations including bright pressing the lens' curved surface and the plane surface on both of the sides, as claimed. The combination of all the claimed features are not anticipated or made obvious by the prior art and all of said features are relied upon for a determination of allowability.

Response to Arguments

5. Applicant's arguments filed 11/13/06 have been fully considered but they are not persuasive. Regarding claims 8 and 14, wherein a lower surface of the holding edge (4) is directed away from the curved surface (4) and is disposed in a plane with the plane surface (figure 3A). The lower surface of holding edge (4) is supporting edge (4c), which is directed away from the curved surface (4) and is disposed in a plane with the plane surface (see figure 3A above).

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Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N. Thomas whose telephone number is 571-272-2341. The examiner can normally be reached on Monday - Thursday from 6-4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brandi N Thomas
Examiner
Art Unit 2873

BNT



ALICIA M. HARRINGTON
PRIMARY EXAMINER